REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

Claims 30-41 are pending in this application and stand rejected. Claims 30 and 36 are amended herein. No new matter has been added.

Initially, the Applicants wish to thank the Examiner for conducting the telephone interview on September 8, 2008. During the interview, the applied art and arguments distinguishing the claims over the applied prior art were discussed.

Claims 30-41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mixer, Jr. (U.S. Patent No. 7,246,348) (hereinafter referred to as "Mixer") in view of Weyand et al. (U.S. Patent No. 6,930,785) (hereinafter referred to as "Weyand").

The above rejection is submitted to be inapplicable to amended claims 30 and 36 for the following reasons.

In contrast to the present invention as recited in claim 30, Mixer does not disclose a printing apparatus different from a receiving apparatus, a server that includes a content generation unit operable to generate a content that includes television display content and a firmware update file as a print content which is not to be displayed, and that the receiving apparatus includes a print output unit operable to output, to the printing apparatus, the print content included in the content without performing processing related to display when a print instruction is obtained.

Instead, Mixer discloses a printer 10 including a front panel 35 having a display 37 and controls 40 for operating the printer 10 (see figure 1 and col. 2, line 66 to col. 3, line 6). The printer 10 includes a printing engine 65, a user interface 70 for receiving user inputs and for displaying messages and status to a user, and an input output (I/O) interface 75 for receiving print job files. The I/O interface 75 is also capable of receiving, through links 85 or 92, a computer readable medium embodied in a carrier wave of a propogated signal, 93, such as an internet transmission, where the computer readable medium carries one or more instructions for a processor 50 (see col. 3, lines 7-19). An external computing device 80 may be connected to the printer 10 through the I/O interface 75 either by way of a link 85, or by way of links 90, 92

and a network 95. The computing device 80 preferably includes the capability to generate print job files and to update microcode in the printer 10, and may further include the ability to generate print job files to be printed.

Moreover, there is no disclosure or suggestion to modify Mixer by separating the I/O device 75 from the printer 10, and such that the external computing device 80 is operable to generate a content that includes television display content and a firmware update file as a print content which is not to be displayed. Furthermore, there is no disclosure or suggestion to modify the I/O device 75 to be operable to output print content to the printer 10 because the I/O device 75 is part of the printer 10.

In other words, Mixer does not disclose *a printing apparatus different from a receiving apparatus, and a server that includes a content generation unit is operable to generate a content that includes television display content and a firmware update file as a print content which is not to be displayed, and that the receiving apparatus includes a print output unit operable to output, to the printing apparatus, the print content included in the content without performing processing related to display when a print instruction is obtained*.

In the Office Action, the Examiner has taken the position that the printer 10 including the I/O device 75 constitutes both the printing apparatus and the receiving apparatus, and that the external computing device 80 corresponds to the server recited in claim 30. However, as discussed above, because the printer 10 includes the I/O device 75 which functions as a receiver, the printer 10 cannot correspond to a printing apparatus and a receiver that is different from the printing apparatus. Moreover, as discussed above, the external computing device 80 cannot correspond to the server recited in claim 30.

Furthermore, because Mixer does not disclose a receiving apparatus different from a printing apparatus, Mixer does not disclose a print output unit, included in the receiving apparatus, operable to output to the printing apparatus, the print content included in the content without performing processing related to display when a print instruction is obtained. Thus, by virtue of outputting the print content to the printing apparatus, the receiving unit processes the received content such that the television content is not sent to the printing apparatus.

For at least the reasons discussed above, it is believed clear that Mixer fails to disclose or suggest the present invention as recited in claim 30.

Weyand is relied upon in the rejection as teaching "displaying an instruction for urging a user to update the firmware of a printing device, and waiting for confirmation from the user before performing the firmware update." However, it is clear that Weyland also fails to disclose or suggest the above discussed features of the firmware updating system recited in claim 30.

Regarding claim 36, it is patentable over the references relied upon in the rejection for reasons similar to those set forth above in support of claim 30. That is, claim 36 similarly recites a firmware updating method including a server that distributes a content, a receiving apparatus that receives the content from the server, and a printing apparatus that operates according to a firmware stored in a ROM and prints a print content inputted from the receiving apparatus, wherein the printing apparatus is different from the receiving apparatus. Moreover, claim 36 recites generating, with the server, a content that includes television display content and a firmware update file as a print content which is not to be displayed, and outputting from the receiving apparatus to the printing apparatus, the print content included in the content, without performing processing related to display when the print instruction is obtained.

For at least the reasons set forth above, it is respectfully submitted that the above-discussed features as recited in claims 30 and 36 are not disclosed in the references applied by the Examiner. Furthermore, it is respectfully submitted that one of ordinary skill in the art at the time the invention was made would not have found it obvious to modify Mixer under 35 U.S.C. § 103(a) in such a manner as to result in the invention of claims 30 and 36. Therefore, it is respectfully submitted that claim 30, and claims 31-35 depending therefrom, and claim 36, and claims 37-41 depending therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, all of the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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